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GOVERNMENT GAZETTE

BOLETIM OFICIAL

GOVERNMENT OF GOA, DAMAN AND DIU

Special Department

Notification

OSD/RRVS/13/67(A)

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated the 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to the recruitment to the post of Draughtsman Grade III in the Public Works Department under the Government of Goa, Daman and Diu.

1. **Short title.** — These rules may be called Goa Government Department of Public Works Draughtsman Grade III (Non-ministerial, non-gazetted post) Recruitment Rules, 1968.

2. **Application.** — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.** — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.** — The method of recruitment of the said posts, age limit, qualifications and other matters

connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- (a) the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time; and
- (b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date. An appointment made prior to this date through a duly constituted Staff Selection Board/Departmental Promotion Committee will be deemed to be a regular appointment, notwithstanding any provisions contained in these rules, and the probation period in that case will extend to six months only from the date of this notification.

G. K. Bhanot
Chief Secretary

Panaji, 23rd Decemebr, 1890.
2nd Pausa, 1890.

SCHEDULE

Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Ago for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruitments will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment, by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made	If a DPC exists, what is its composition	Circumstances in which U. P. S. C. is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13
Draughtsman Grade III	57	Class III Non-ministerial (Non-gazetted)	Rs. 110-4-150-EB-4-170-5-180-EB-5-200	Selection	18 to 28 years (Relaxable for Govt. servants)	1. Matriculation or equivalent. 2. Diploma in Draughtsman's Course.	N. A.	Two years	By direct recruitment	N. A.	N. A.	As required under the rules.

Notification

OSD/RRVS/16/66

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated the 25th July, 1963 the Administrator of Goa, Daman and Diu is pleased to make the following rules amending the Goa Government, Directorate of Information and Tourism (Non-gazetted posts) Recruitment Rules, 1966 issued under Notification dated 10th August, 1966 and published in the Government Gazette Series I, No. 26 dated 29th September, 1966 namely:—

1. **Short title and commencement.**— (i) These rules may be called the Goa Government, Directorate of Information and Tourism (non-gazetted posts) Recruitment (First Amendment) Rules, 1969.

(ii) They shall come into force at once.

2. In the Schedule attached to the said Notification,

I. Against the post indicated at Serial No. 17,

(a) for the existing entry in column 5 substitute:—

"Selection".

(b) For the existing entry in column 10 substitute:—

"By Promotion failing which by direct recruitment".

(c) For the existing entry in column 11 substitute:—

"Promotion—Upper Division Clerks from the Department with 5 years service in the grade".

(d) For the existing entry in column 12 substitute:—

"Class III D. P.C.".

II. Against the post indicated at Serial No. 23, for the existing entry in column 11 substitute:—

"Promotion—Information Assistants in the scale of Rs. 130-300 with 3 years service in the grade and Upper Division Clerks of the Department with 5 years service in the grade".

G. K. Bhanot

Chief Secretary

Panaji, 3rd February, 1969.

14th Magha, 1890.

Notification

OSD/RRVS/41/66

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter no. F.7(11)/62-Goa dated the 25th July, 1963 the Administrator of Goa, Daman and Diu is pleased to make the following rules amending the Goa Government (Directorate of Education) Class II Gazetted posts Recruitment rules, 1967 issued under Notification of even number dated 13th November,

1967 and published in Government Gazette Series I, No. 36 dated 7th December, 1967 namely:—

1. Short title and commencement:—

- (i) These rules may be called the Goa Government (Directorate of Education) Class II Gazetted posts Recruitment (Second Amendment) Rules, 1969.

- (ii) They shall come into force at once.

2. In the Schedule attached to the said Notification against the posts at Serial no. 1 in column 7, for entry (iv) substitute, "Knowledge of Marathi and/or Konkani and/or Gujarati".

G. K. Bhanot, Chief Secretary.

Panaji, 3rd February, 1969.

14th Magha, 1890.

Corrigendum

OSD/RRVS/41/67-B

In the Notification of even number dated 26th October, 1968 published in Government Gazette Series I, No. 36 dated 5th December, 1968, and the Schedule attached thereto,

1. Instead of the words "Gestetner Operator" appearing in the Notification as well as in the Schedule read:

"Duplicating Machine Operator"

2. Instead of the words "Gestetner Machine" appearing in column 11 of the Schedule read:

"Duplicating Machine"

3. Instead of "in the Education Department" appearing in column 11 of the Schedule read:

"in the Department"

D. V. Sawant, Deputy Secretary (Appointments).

Panaji, 1st January, 1969.

12th Magha, 1890.

Home Department 'A'

Notification

HD-76-15088/67-A

Notification No. 3(9)/65-LI(I) (ii) dated 30-12-1968 from the Government of India, Ministry of Industrial Development and Company Affairs, Department of Industrial Development, New Delhi, is hereby re-published in Government Gazette for information of general public.

S. B. Deshpande, Under Secretary (Home).

Panaji, 5th February, 1969.

16 Magha, 1890.

Notification

No. 3(9)/65-LI(I) (ii): In exercise of the powers conferred by Sections 5 & 7 of the Indian Explosives Act, 1884 (4 of 1884), the Central Government

hereby makes the following rules further to amend the Gas Cylinders Rules, 1940, the same having been previously published as required by Section 18 of the said Act, namely:—

1. These rules may be called the Gas Cylinders (Amendment) Rules, 1968.

2. In the Gas Cylinders Rules, 1940, in the proviso to rule 2A, for the figures, letters and words «31st day of March, 1968», the figures, letters and words «31st day of March, 1969», shall be substituted.

T. D. RAJAGOPALAN

Under Secretary to the Govt. of India.

Notification

HD-76-15088/67-A

Notification No. 3(9)/65-LI(I) dated 30-12-1968 from the Government of India, Ministry of Industrial Development and Company Affairs, Department of Industrial Development, New Delhi, is hereby re-published in Government Gazette for information of general public.

S. B. Deshpande, Under Secretary (Home).

Panaji, 5th February, 1969.

16 Magha, 1890.

Notification

No. 3(9)/65-LI(I): In exercise of the powers conferred by Sections 5 & 7 of the Indian Explosives Act, 1884 (4 of 1884), the Central Government hereby makes the following rules further to amend the Explosives Rules, 1940, the same having been previously published as required by Section 18 of the said Act, namely:—

1. The rules may be called the Explosives (Second Amendment) Rules, 1968.

2. In the Explosives Rules, 1940, in the proviso to rule 2A for the figures, letters and words «31st day of March, 1968», the figures, letters and words «31st day of March, 1969», shall be substituted.

T. D. RAJAGOPALAN

Under Secretary to the Govt. of India.

Law and Judicial Department

Notification

LD/N/89/68/69

The Judges (Inquiry) Act, 1968, (Act no. 51 of 68) which was recently passed by Parliament and assented to by the President of India on 5-12-1968 is hereby reproduced below for general information of the public.

G. V. Ratnam, for Under Secretary.

Panaji, 31st January, 1969.

11th Magh, 1890.

The Judges (Inquiry) Act, 1968

AN
ACT

to regulate the procedure for the investigation and proof of the misbehaviour or incapacity of a Judge of the Supreme Court or of a High Court and for the presentation of an address by Parliament to the President and for matters connected therewith.

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Judges (Inquiry) Act, 1968.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) "Chairman" means the Chairman of the Council of States;

(b) "Committee" means a Committee constituted under section 3;

(c) "Judge" means a Judge of the Supreme Court or of a High Court and includes the Chief Justice of India and the Chief Justice of a High Court;

(d) "prescribed" means prescribed by rules made under this act;

(e) "Speaker" means the Speaker of the House of the People.

3. Investigation into misbehaviour or incapacity of Judge by Committee.—(1) If notice is given of a motion for presenting an address to the President praying for the removal of a Judge signed,—

(a) in the case of a notice given in the House of the People, by not less than one hundred members of that House;

(b) in the case of a notice given in the Council of States, by not less than fifty members of that Council,

then, the Speaker or, as the case may be, the Chairman may, after consulting such persons, if any, as he thinks fit and after considering such materials, if any, as may be available to him, either admit the motion or refuse to admit the same.

(2) If the motion referred to in sub-section (1) is admitted, the Speaker, or, as the case may be, the Chairman shall keep the motion pending and constitute, as soon as may be, for the purpose of making an investigation into the grounds on which the removal of a Judge is prayed for, a Committee consisting of three members of whom—

(a) one shall be chosen from among the Chief Justice and other Judges of the Supreme Court;

(b) one shall be chosen from among the Chief Justices of the High Courts; and

(c) one shall be a person who is, in the opinion of the Speaker or, as the case may be, the Chairman, a distinguished jurist:

Provided that where notices of a motion referred to in sub-section (1) are given on the same day in

both Houses of Parliament, no Committee shall be constituted unless the motion has been admitted in both Houses and where such motion has been admitted in both Houses, the Committee shall be constituted jointly by the Speaker and the Chairman:

Provided further that where notices of a motion as aforesaid are given in the Houses of Parliament on different dates, the notice which is given later shall stand rejected.

(3) The Committee shall frame definite charges against the Judge on the basis of which the investigation is proposed to be held.

(4) Such charges together with a statement of the grounds on which each such charge is based shall be communicated to the Judge and he shall be given a reasonable opportunity of presenting a written statement of defence within such time as may be specified in this behalf by the Committee.

(5) Where it is alleged that the Judge is unable to discharge the duties of his office efficiently due to any physical or mental incapacity and the allegation is denied, the Committee may arrange for the medical examination of the Judge by such Medical Board as may be appointed for the purpose by the Speaker or, as the case may be, the Chairman or, where the Committee is constituted jointly by the Speaker and the Chairman, by both of them, for the purpose and the Judge shall submit himself to such medical examination within the time specified in this behalf by the Committee.

(6) The Medical Board shall undertake such medical examination of the Judge as may be considered necessary and submit a report to the Committee stating therein whether the incapacity is such as to render the Judge unfit to continue in office.

(7) If the Judge refuses to undergo medical examination considered necessary by the Medical Board, the Board shall submit a report to the Committee stating therein the examination which the Judge has refused to undergo, and the Committee may, on receipt of such report, presume that the Judge suffers from such physical or mental incapacity as is alleged in the motion referred to in sub-section (1).

(8) The Committee may, after considering the written statement of the Judge and the medical report, if any, amend the charges framed under sub-section (3) and in such a case, the Judge shall be given a reasonable opportunity of presenting a fresh written statement of defence.

(9) The Central Government may, if required by the Speaker or the Chairman, or both, as the case may be, appoint an advocate to conduct the case against the Judge.

4. Report of Committee.—(1) Subject to any rules that may be made in this behalf, the Committee shall have power to regulate its own procedure in making the investigation and shall give a reasonable opportunity to the Judge of cross-examining witnesses, adducing evidence and of being heard in his defence.

(2) At the conclusion of the investigation, the Committee shall submit its report to the Speaker or, as the case may be, to the Chairman, or where the Committee has been constituted jointly by the Speaker

ker and the Chairman, to both of them, stating therein its findings on each of the charges separately with such observations on the whole case as it thinks fit.

(3) The Speaker or the Chairman or, where the Committee has been constituted jointly by the Speaker and the Chairman, both of them, shall cause the report submitted under sub-section (2) to be laid, as soon as may be, respectively before the House of the People and the Council of States.

15. Powers of Committee. — For the purpose of making any investigation under this Act, the Committee shall have the powers of a civil court, while trying a suit, under the Code of Civil Procedure, 1908, in respect of the following matters, namely: —

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents;
- (c) receiving evidence on oath;
- (d) issuing commissions for the examination of witnesses or documents;
- (e) such other matters as may be prescribed.

6. Consideration of report and procedure for presentation of an address for removal of Judge. — (1) If the report of the Committee contains a finding that the Judge is not guilty of any misbehaviour or does not suffer from any incapacity, then, no further steps shall be taken in either House of Parliament in relation to the report and the motion pending in the Houses or the Houses of Parliament shall not be proceeded with.

(2) If the report of the Committee contains a finding that the Judge is guilty of any misbehaviour or suffers from any incapacity, then, the motion referred to in sub-section (1) of section 3 shall, together with the report of the Committee, be taken up for consideration by the House or Houses of Parliament in which it is pending.

(3) If the motion is adopted by each House of Parliament in accordance with the provisions of clause (4) of article 124 or, as the case may be, in accordance with that clause read with article 218 of the Constitution, then, the misbehaviour or incapacity of the Judge shall be deemed to have been proved and an address praying for the removal of the Judge shall be presented in the prescribed manner to the President by each House of Parliament in the same session in which the motion has been adopted.

7. Power to make rules. — (1) There shall be constituted a Joint Committee of both Houses of Parliament in accordance with the provisions hereinafter contained for the purpose of making rules to carry out the purposes of this Act.

(2) The Joint Committee shall consist of fifteen members of whom ten shall be nominated by the Speaker and five shall be nominated by the Chairman.

(3) The Joint Committee shall elect its own Chairman and shall have power to regulate its own procedure.

(4) Without prejudice to the generality of the provisions of sub-section (1), the Joint Committee may make rules to provide for the following among other matters, namely: —

(a) the manner of transmission of a motion adopted in one House to the other House of Parliament;

(b) the manner of presentation of an address to the President for the removal of a Judge;

(c) the travelling and other allowances payable to the members of the Committee and the witnesses who may be required to attend such Committee;

(d) the facilities which may be accorded to the Judge for defending himself;

(e) any other matter which has to be, or may be, provided for by rules or in respect of which provision is, in the opinion of the Joint Committee, necessary.

(5) Any rules made under this section shall not take effect until they are approved and confirmed both by the Speaker and the Chairman and are published in the Official Gazette, and such publication of the rules shall be conclusive proof that they have been duly made.

Notification

LD/N/90/68/69

The Central Industrial Security Force Act, 1968 which was recently passed by the Parliament and assented to by the President of India on 2nd December, 1968 is hereby reproduced below for general information of the public.

G. V. Ratnam, for Under Secretary.

Panaji, 31st January, 1969.

11th Magh, 1890.

The Central Industrial Security Force Act, 1968

AN

ACT

to provide for the constitution and regulation of a Force called the Central Industrial Security Force for the better protection and security of certain industrial undertakings.

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. Short title, extent and commencement. — (1) This Act may be called the Central Industrial Security Force Act, 1968.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions. — (1) In this Act, unless the context otherwise requires,—

(a) "Force" means the Central Industrial Security Force constituted under section 3;

(b) "industrial undertaking" means any undertaking pertaining to a scheduled industry and includes an undertaking engaged in any other industry, or in any trade, business or service which may be regulated by Parliament by law;

(c) "industrial undertaking in public sector" means an industrial undertaking owned, controlled or managed by—

(i) a Government company as defined in section 617 of the Companies Act, 1956, 1 of 1956.

(ii) a corporation established by or under a Central, Provincial or State Act, which is controlled or managed by the Government;

(d) "Inspector-General" means the Inspector-General of the Force appointed under section 4;

(e) "Managing Director", in relation to an industrial undertaking, means the person (whether called a managing agent, general manager, manager, chief executive officer or by any other name) who exercises control over the affairs of that undertaking;

(f) "members of the Force" means a person appointed to the Force under this Act, other than a supervisory officer;

(g) "prescribed" means prescribed by rules made under this Act;

(h) "scheduled industry" means any industry engaged in the manufacture or production of the articles mentioned in the First Schedule to the Industries (Development and Regulation) Act, 1951; 65 of 1951.

(i) "supervisory officer" means any of the officers appointed under section 4 and includes any other officer appointed by the Central Government as a supervisory officer of the Force.

(2) Any reference in this Act to a law which is not in force in the State of Jammu and Kashmir shall, in relation to that State, be construed as a reference to the corresponding law, if any, in force in that State.

3. Constitution of the Force.—(1) There shall be constituted and maintained by the Central Government a Force to be called the Central Industrial Security Force for the better protection and security of Industrial undertakings owned by that Government.

(2) The Force shall be constituted in such manner, shall consist of such number of supervisory officers and members of the Force who shall receive such pay and other remuneration as may be prescribed.

4. Appointment and powers of supervisory officers.—(1) The Central Government may appoint a person to be the Inspector-General of the Force and may appoint other persons to be Deputy Inspectors-General, Chief Security Officers or Security Officers of the Force.

(2) The Inspector-General and every other supervisory officer so appointed shall have, and may exercise, such powers and authority as is provided by or under this Act.

5. Appointment of members of the Force.—The appointment of members of the Force shall rest with the Inspector-General who shall exercise that power in accordance with rules made under this Act:

Provided that the power of appointment under this section may also be exercised by such other supervisory officer as the Central Government may by order specify in this behalf.

6. Certificates of members of the Force.—(1) Every member of the Force shall receive on his appointment a certificate in the form specified in the Schedule, under the seal of the Inspector-General or such other supervisory officer as the Inspector-General may specify in this behalf, by virtue of which the person holding such certificate shall be vested with the powers of a member of the Force.

(2) Such certificate shall cease to have effect whenever the person named in it ceases for any reason to be a member of the Force.

7. Superintendence and administration of the force.—(1) The superintendence of the Force shall vest in the Central Government, and subject thereto the administration of the Force shall vest in the Inspector-General and shall be carried on by him in accordance with the provisions of this Act and of any rules made thereunder.

(2) Subject to the provisions of sub-section (1), the administration of the Force within such local limits as may be prescribed shall be carried on by a Deputy Inspector-General, Chief Security Officer or Security Officer in accordance with the provisions of this Act and of any rules made thereunder and every supervisory officer placed in charge of the protection and security of an industrial undertaking shall, subject to any directions that may be given by the Central Government in this behalf, discharge his functions under the general supervision, direction and control of the Managing Director of that undertaking.

8. Dismissal, removal, etc., of members of the Force.—Subject to the provisions of article 311 of the Constitution and to such rules as the Central Government may make under this Act, any supervisory officer may—

(i) dismiss, suspend or reduce in rank any member of the Force whom he thinks remiss or negligent in the discharge of his duty, or unfit for the same; or

(ii) award any one or more of the following punishments to any member of the Force who discharges his duty in a careless or negligent manner, or who by any act of his own renders himself unfit for the discharge thereof, namely:—

(a) fine to any amount not exceeding seven days' pay or reduction in pay scale;

(b) drill, extra guard, fatigue or other duty;

(c) removal from any office of distinction or deprivation of any special emolument.

9. Appeal and revision.—(1) Any member of the Force aggrieved by an order made under section 8 may, within thirty days from the date on which the order is communicated to him, prefer an appeal against the order to such authority as may be prescribed, and subject to the provisions of sub-section

(3), the decision of the said authority thereon shall be final:

Provided that the prescribed authority may entertain the appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) In disposing of an appeal, the prescribed authority shall follow such procedure as may be prescribed.

(3) The Central Government may call for and examine the record of any proceeding under section 8 or under sub-section (2) of this section and may make such inquiry or cause such inquiry to be made and subject to the provisions of this Act, may pass such order thereon as it thinks fit:

Provided that no order imposing an enhanced penalty under sub-section (2) or sub-section (3) shall be made unless a reasonable opportunity of being heard has been given to the person affected by such order.

10. Duties of members of the Force.—It shall be the duty of every supervisory officer and member of the Force—

(a) promptly to obey and execute all orders lawfully issued to him by his superior authority;

(b) to protect and safeguard the industrial undertakings owned by the Central Government together with such other installations as are specified by that Government to be vital for the carrying on of work in those undertakings, situate within the local limits of his jurisdiction:

Provided that before any installation not owned or controlled by the Central Government is so specified, the Central Government shall obtain the consent of the Government of the State in which such installation is situate;

(c) to protect and safeguard such other industrial undertakings and installations for the protection and security of which he is deputed under section 14;

(d) to do any other act conducive to the better protection and security of the industrial undertakings referred to in clauses (b) and (c).

11. Power to arrest without warrant.—(1) Any supervisory officer or member of the Force may, without any order from a Magistrate and without a warrant, arrest any person who has been concerned in, or against whom a reasonable suspicion exists of his having been concerned in, or who is found taking precautions to conceal his presence under circumstances which afford reason to believe that he is taking such precautions with a view to committing, a cognizable offence relating to,—

(i) the property belonging to any industrial undertaking, or

(ii) the other installations,

referred to in clauses (b) and (c) of section 10.

(2) If any person is found trespassing on the premises of any industrial undertaking referred to in clauses (b) and (c) of section 10, he may, without prejudice to any other proceedings which may be taken against him, be removed from such premises by any supervisory officer or member of the Force.

12. Power to search without warrant.—(1) Whenever any supervisory officer, or any member of the Force, not below the prescribed rank, has reason to believe that any such offence as is referred to in section 11 has been or is being committed and that a search warrant cannot be obtained without affording the offender an opportunity of escaping or of concealing evidence of the offence, he may detain the offender and search his person and belongings forthwith and, if he thinks proper, arrest any person whom he has reason to believe to have committed the offence.

(2) The provisions of the Code of Criminal Procedure, 1898, relating to searches under that Code shall, so far as may be, apply to searches under this section.

13. Procedure to be followed after arrest.—Any supervisory officer or member of the Force making an arrest under this Act, shall, without unnecessary delay, make over the person so arrested to a police officer, or, in the absence of a police officer, take such person or cause him to be taken to the nearest police station together with a report of the circumstances occasioning the arrest.

14. Deputation of the Force to industrial undertakings in public sector.—(1) Subject to any general directions which may be issued by the Central Government, it shall be lawful for the Inspector-General, on a request received in this behalf from the Managing Director concerned of an industrial undertaking in public sector, showing the necessity thereof, to depute such number of supervisory officers and members of the Force as the Inspector-General may consider necessary for the protection and security of that industrial undertaking and any installations attached thereto and the officers and members of the Force so deputed shall be at the charge of the Managing Director:

Provided that in the case of an undertaking, owned, controlled or managed,—

(i) by a Government company of which the Central Government is not a member;

(ii) by a corporation established by or under a Provincial or State Act,

no such request shall be entertained unless it is made with the consent of the Government of the State in which the undertaking is situate.

(2) If the Inspector-General is of the opinion that circumstances necessitating the deputation of the officers and members of the Force in relation to an industrial undertaking under sub-section (1) have ceased to exist, or for any other reason it is necessary so to do, he may, after informing the Managing Director of that industrial undertaking, withdraw the officers and members of the Force so deputed:

Provided that the Managing Director may, on giving one month's notice in writing to the Inspector-General require that the officers and members of the Force so deputed shall be withdrawn, and the Managing Director shall be relieved from the charge from the date of expiration of such notice or from any earlier date on which the Force is so withdrawn.

(3) Every officer and member of the Force, while discharging his functions during the period of deputation, shall continue to exercise the same powers and be subject to the same responsibilities as if he were a member of the Force.

pline and penalties as would have been applicable to him under this Act, if he had been discharging those functions in relation to an industrial undertaking owned by the Central Government.

15. Officers and members of the Force to be considered always on duty and liable to be employed anywhere in India. — (1) Every supervisory officer and member of the Force shall, for the purpose of this Act, be considered to be always on duty, and shall, at any time, be liable to be employed at any place within India.

(2) Save as provided in section 14, no supervisory officer or member of the Force shall engage himself in any employment or office other than his duties under this Act.

16. Responsibilities of members of the Force during suspension. — A member of the Force shall not by reason of his suspension from office cease to be a member of the Force; and he shall, during that period, be subject to the same responsibilities, discipline and penalties to which he would have been subject if he were on duty.

17. Surrender of certificate, arms, etc., by persons ceasing to be members of the Force. — (1) Every person who for any reason ceases to be a member of the Force, shall forthwith surrender to any supervisory officer empowered to receive the same, his certificate of appointment, the arms, accoutrements, clothing and other articles which have been furnished to him for the performance of duties as a member of the Force.

(2) Any person who wilfully neglects or refuses to surrender his certificate of appointment or the arms, accoutrements, clothing and other articles furnished to him, as required by sub-section (1), shall, on conviction, be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

(3) Nothing in this section shall be deemed to apply to any article which, under the orders of the Inspector-General, has become the property of the person to whom the same was furnished.

18. Penalties for neglect of duty, etc. — (1) Without prejudice to the provisions contained in section 8, every member of the Force who shall be guilty of any violation of duty or wilful breach or neglect of any rule or regulation or lawful order made by a supervisory officer, or who shall withdraw from the duties of his office without permission, or who, being absent on leave, fails, without reasonable cause, to report himself for duty on the expiration of the leave, or who engages himself without authority in any employment other than his duty as a member of the Force, or who shall be guilty of cowardice, shall, on conviction, be punished with imprisonment for a term which may extend to six months.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence punishable under this section shall be cognizable. 5 of 1898.

(3) Nothing contained in this section shall be construed to prevent any member of the Force from being prosecuted under any other law for any of-

fence made punishable by that law, or for being liable under any such law to any other or higher penalty or punishment than is provided for such offence by this section:

Provided that no person shall be punished twice for the same offence.

19. Application of Act 22 of 1922 to officers and members of the Force. — The Police (Incitement to Disaffection) Act, 1922, shall apply to supervisory officers and members of the Force as it applies to members of a police force.

20. Certain Acts not to apply to members of the Force. — Nothing contained in the Payment of Wages Act, 1936, or the Industrial Disputes Act, 1947, or the Factories Act, 1948, or any corresponding law relating to investigation and settlement of industrial disputes in force in a State shall apply to members of the Force. 4 of 1936. 14 of 1947. 63 of 1948.

21. Protection of acts of officers and members of the Force. — (1) In any suit or proceeding against any supervisory officer or member of the Force for any act done by him in the discharge of his duties, it shall be lawful for him to plead that such act was done by him under the orders of a competent authority.

(2) Any such plea may be provided by the production of the order directing the act, and if it is so proved, the supervisory officer or member of the Force shall thereupon be discharged from any liability in respect of the act so done by him, notwithstanding any defect in the jurisdiction of the authority which issued such order.

(3) Notwithstanding anything contained in any other law for the time being in force, any legal proceeding, whether civil or criminal, which may lawfully be brought against any supervisory officer or member of the Force for anything done or intended to be done under the powers conferred by, or in pursuance of, any provision of this Act or the rules thereunder shall be commenced within three months after the act complained of shall have been committed and not otherwise; and notice in writing of such proceeding and of the cause thereof shall be given to the person concerned and his supervisory officer at least one month before the commencement of such proceeding.

22. Power to make rules. — (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for —

(a) regulating the classes, ranks, grades, pay and remuneration of supervisory officers and members of the Force and their conditions of service in the Force;

(b) regulating the powers and duties of supervisory officers and members of the Force authorised to exercise any functions by or under this Act;

(c) fixing the period of service for supervisory officers and members of the Force;

(d) prescribing the description and quantity of arms, accoutrements, clothing and other necessary articles to be furnished to the members of the Force;

(e) prescribing the places of residence of members of the Force;

(f) institution, management and regulation of any fund for any purpose connected with the administration of the Force;

(g) regulating the punishments and prescribing authorities to whom appeals shall be preferred from orders of punishment, or remission of fines or other punishments, and the procedure to be followed for the disposal of such appeals;

(h) the terms and conditions subject to which supervisory officers and members of the Force may be deputed under section 14 and the charges therefor; and

(i) any other matter which has to be, or may be, prescribed.

(8) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule, or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE SCHEDULE

(See section 6)

A.B. has been appointed a member of the Central Industrial Security Force under the Central Industrial Security Force Act, 1968, and is vested with the powers, functions and privileges of a member of the Force.

Notification

LD/3/N/91-68/69

The Madras State (alteration of name) Act, 1968 (53 of 1968) which was recently passed by Parliament and assented to by the President of India on 20th December, 1968, is hereby reproduced below for general information of the public.

V. R. Vaze, Under Secretary (Law).

Panaji, 10th February, 1969.

The Madras State (Alteration of Name) Act, 1968

AN

ACT

to alter the name of the State of Madras.

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Madras State (Alteration of Name) Act, 1968.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. **Definitions.**— In this Act, unless the context otherwise requires,—

(a) “appointed day” means the date appointed under sub-section (2) of section 1 for the coming into force of this Act;

(b) “appropriate Government” means, as respects a law relating to a matter enumerated in List I in the Seventh Schedule to the Constitution, the Central Government, and as respects any other law, the State Government;

(c) “law” includes any enactment, Ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having the force of law in the whole or any part of the State of Madras.

3. **Alteration of name of State of Madras.**— As from the appointed day, the State of Madras shall be known as the State of Tamil Nadu.

4. **Amendment of article 31A, article 168 and article 290A of the Constitution.**— In sub-clause (a) of clause (2) of article 31A, in sub-clause (a) of clause (1) of article 168 and in article 290A of the Constitution, for the word “Madras”, the words “Tamil Nadu” shall be substituted.

5. **Amendment of First and Fourth Schedules to the Constitution.**— (1) In the First Schedule to the Constitution, under the heading “I. THE STATES”, for the figure and word “7. Madras”, the figure and words “7. Tamil Nadu” shall be substituted.

(2) In the Fourth Schedule to the Constitution, for the figure and word “8. Madras”, the figure and words “8. Tamil Nadu” shall be substituted.

6. **Power to adapt laws.**— (1) For the purpose of giving effect to the alteration of the name of the State of Madras by section 3, the appropriate Government may, before the expiration of one year from the appointed day, by order, make such adaptations and modifications of any law made before the appointed day, whether by way of repeal or amendment as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made.

(2) Nothing in sub-section (1) shall be deemed to prevent a competent Legislature or other competent authority from repealing or amending any law adapted or modified by the appropriate Government under the said sub-section.

7. **Power to construe laws.**— Notwithstanding that no provision or insufficient provision has been made under section 6 for the adaptation of a law made before the appointed day, any court, tribunal or authority required or empowered to enforce such law may construe the law in such manner, without affecting the substance, as may be necessary or proper in regard to the matter before the court, tribunal or authority.

8. **Legal proceedings.**— Where immediately before the appointed day any legal proceedings are pending to which the State of Madras is a party, the State of Tamil Nadu shall be deemed to be substituted for the State of Madras in those proceedings.

Office of the Chief Electoral Officer

Notification

ELN/SYM/68

The following Notification no. 56/69-IV dated the 1st February, 1969, issued by the Election Commission of India, New Delhi, is hereby published for general information.

R. L. Segel, Law Secretary and Chief Electoral Officer.

Panaji, 7th February, 1969.

18 Magha, 1890.

Election Commission of India

New Delhi-1, dated the 1st February, 1969

Notification

In pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendment in its notification no. 56/69-II (S.O. 89), dated the 4th January, 1969, namely:—

In table 3, against the entry «22. Pondicherry» for the entries «(5) Two leaves and (6) Lion», the entries «(5) Two leaves, (6) Lion and (7) Rising Sun» shall be substituted.

[No. 56/69-IV]

By order,

K. S. RAJAGOPALAN
Secretary

Food and Civil Supplies Department

Notification

6-4/68-69/FCS-CS

In exercise of the powers conferred by Section 3 of the Essential Commodities Act 1955 (No. 10 of 1955) read with the Government of India, Ministry of Food and Agriculture, Community Development and Cooperation (Department of Food) No. GSR. 1111 dated 24-7-1967, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following order so as to amend the Government Notification no. CS/290/799/68 dated the 29th July, 1968, namely.

After paragraph 1 and before the schedule to the Government Notification no. CS/290/799/68 dated the 29th July 1968, the following words shall be inserted:—

“And further directs that:

- (1) The Bakers/bakery owners shall display at their business premises the correct weight and respective prices of bread kept for sale.
- (2) The weight of the bread kept for sale shall conform to the actual weight as displayed in the business premises of the bakers/bakery owners”

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

V. H. Sakalker, Under Secretary (Planning).

Panaji, 1st February, 1969.

12 Magha, 1890.

Labour and Information Department

ORDER

I&L/1480/69

Corrigendum No. 106/F. No. 1(254)/67-TPL dated 17th October, 1968, issued by the Central Board of Direct Taxes, New Delhi, to the Notification of even number dated 2-8-68, is hereby republished for the information of the General Public.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. R. Shinde, Under Secretary, Industries and Labour Department.

Panaji, 11th February, 1969.

22 Magha, 1890.

CENTRAL BOARD OF DIRECT TAXES

Corrigendum

Income-Tax

New Delhi, the 17th October, 1968

S. O. 3727 — In the notification of Central Board of Direct Taxes No. S. O. 2751 dated the 2nd August, 1968, published at pages 851-852 in Part II-Section 3-Sub-Section (ii) of the Gazette of India Extraordinary, dated the 3rd August, 1968, at page 851, in line 7, for “1961” read “1962”.

(No. 106/F. No. 1(254)/67-TPL.)

V. RAMASWAMI IYER, Secy.

GOVT. PRINTING PRESS—GOA

(Imprensa Nacional — Goa)

PRICE — 67 Ps.